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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------------|-------------|----------------------|-----------------------|------------------|
| 10/617,568 | 07/11/2003 | Kai W. Wucherpfennig | DFN-044 | 3949 |
| 25181 | 7590 | 08/24/2007 | EXAMINER | |
| FOLEY HOAG, LLP | | | DIBRINO, MARIANNE NMN | |
| PATENT GROUP, WORLD TRADE CENTER WEST | | | ART UNIT | PAPER NUMBER |
| 155 SEAPORT BLVD | | | 1644 | |
| BOSTON, MA 02110 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 08/24/2007 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10617568 | 7/11/03 | WUCHERPENNIG ET AL. | DFN-044 |

EXAMINER

DiBrino Marianne

ART UNIT

PAPER

1644

20070806

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please find below a communication from the EXAMINER in charge of this application

This application fails to comply with 37 C.F.R. 1.821-1.825 for the reason(s) listed on the Notice to comply with the sequence rules. The applicants are required to either submit a new CRF and Sequence Listing or a letter authorizing the use of the sequence listing filed with the prior application, along with a statement that the sequences in the two cases are identical.

37 C.F.R. 1.821 (e) A copy of the "Sequence Listing" referred to in paragraph © of this section must also be submitted in computer readable form in accordance with the requirements of § 1.824. The computer readable form is a copy of the "Sequence Listing" and will not necessarily be retained as part of the patent application file. If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified.

(f) In addition to the paper copy required by paragraph © of this section and the computer readable form required by paragraph (e) of this section, a statement that the content of the paper and computer readable copies are the same must be submitted with the computer readable form. Such a statement must be a verified statement if made by a person not registered to practice before the Office.

Any inquiry concerning this communication should be directed to Examiner Marianne DiBrino, Art Unit 1644, whose telephone number is 571-272-0842.

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Marianne D
Marianne DiBrino, Ph.D.
Patent Examiner

Christina Chan
CHRISTINA CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

| | | |
|---|--------------------------------------|-----------------------------|
| Notice to Comply | Application No. 10/617,568 | Wucherpfennig et al. |
| | Examiner Marianne DiBrino | Art Unit 1644 |
| <p>NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES</p> <p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p> <p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p> <p><input checked="" type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).</p> <p><input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).</p> <p><input type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).</p> <p><input checked="" type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."</p> <p><input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).</p> <p><input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).</p> <p>7. Other:</p> <p>Applicant Must Provide:</p> <p><input checked="" type="checkbox"/> An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".</p> <p><input checked="" type="checkbox"/> An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.</p> <p><input checked="" type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).</p> <p>For questions regarding compliance to these requirements, please contact:</p> <p>For Rules Interpretation, call (703) 308-4216</p> <p>For CRF Submission Help, call (703) 308-4212</p> <p>PatentIn Software Program Support</p> <p>Technical Assistance.....703-287-0200</p> <p>To Purchase PatentIn Software.....703-306-2600</p> <p>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</p> | | |

=====

Sequence Listing could not be accepted due to errors.

See attached Validation Report..

If you need help call the Patent Electronic Business Center at (866)
217-9197 (toll free).

Reviewer: markspencer

Timestamp: Wed Jun 27 07:16:48 EDT 2007

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Reviewer Comments:

Please remove the series of ?? at the end of the file.

Application No: 10617568 Version No: 2.0

Input Set:

Output Set:

Started: 2007-06-20 16:36:48.516
Finished: 2007-06-20 16:36:48.817
Elapsed: 0 hr(s) 0 min(s) 0 sec(s) 301 ms
Total Warnings: 1
Total Errors: 2
No. of SeqIDs Defined: 36
Actual SeqID Count: 36

| Error code | Error Description |
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| E 257 | Invalid sequence data feature in <221> in SEQ ID (36) |
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SEQUENCE LISTING

<110> WUCHERPFENNIG, KAI
SETH, NILUFER

<120> NOVEL COMPOSITIONS AND METHODS FOR THE
GENERATION OF MHC CLASS II COMPOUNDS BY
PEPTIDE EXCHANGE

<130> DFS-044.01

<140> 10617568
<141> 2003-07-11

<150> 10/617,568
<151> 2003-07-11

<150> 60/395494
<151> 2002-07-12

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<151> 2002-07-22

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